



## Historical Architectural Review Board October 16, 2014

- Proposal:** **NILES LUX HOMES – 111 E Street - (PLN2014-00230)** - To consider Historic Architectural Review associated with an application for a Planned District Rezoning and Tentative Parcel Map to allow development of two new single-family residences and an addition to an existing house on a 0.43 acre parcel located at 111 E Street in the Historical Overlay District of the Niles Community Plan Area; and to consider a categorical exemption from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332, In-Fill Development Projects, and Section 15303, New Construction or Conversion of Small Structures.
- Recommendation:** Find the Project consistent with the Niles Historical Overlay District and recommend approval to the Planning Commission and City Council, based on findings and subject to conditions.
- Location:** 111 E Street in the Niles Community Plan Area  
APN 507-0245-019-02  
(See aerial photo next page)
- Area:** 0.43 acre (18,905 square feet)
- People:** Mohammad Shaiq, Applicant and Property Owner  
Fahed Habayeb, Designer  
Terry Wong, Staff Planner (510) 494-4456; [twong@fremont.gov](mailto:twong@fremont.gov)
- General Plan:** Residential, Low Density, 2.3-8.7 dwelling units per acre.
- Zoning:** Existing: R-1-8(HOD), Single-Family Residence District, Historical Overlay District.  
Proposed: Planned District, P-2014-230(HOD)

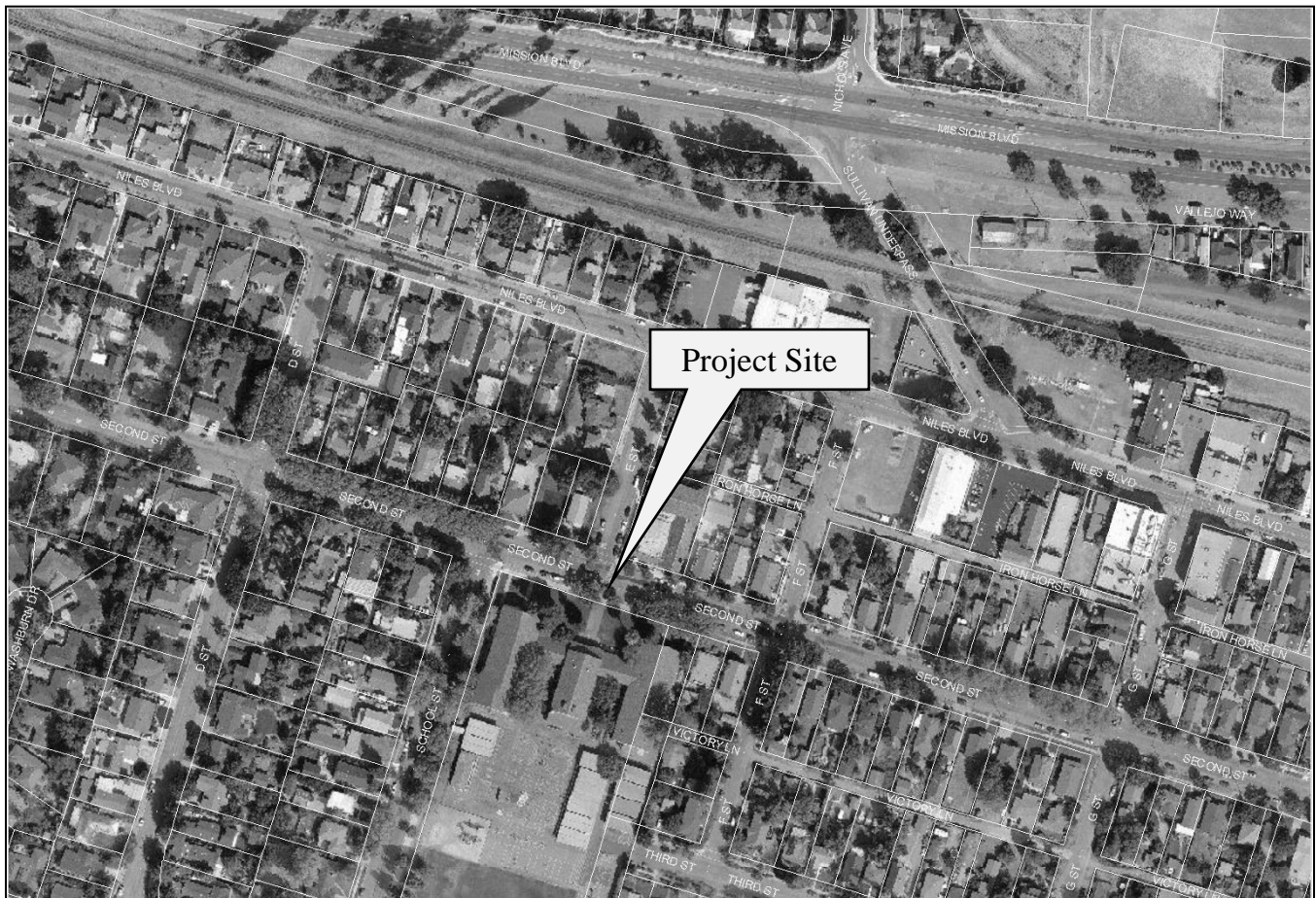
### EXECUTIVE SUMMARY:

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The applicant proposes to develop two new single-family residences and construct an addition to an existing single-family house for a total of three new units on a 0.43 acre parcel located at 111 E Street in the Historical Overlay District (HOD) of the Niles Community Plan Area. The project also involves subdivision of the existing parcel into three separate lots and a new Preliminary and Precise Planned Zoning District. The proposed project includes the removal of an existing detached garage with a secondary dwelling unit above. To address neighborhood concerns related to scale/massing and different historic architectural styles that reflect the diversity found in the Niles HOD, the applicant has proposed varied architectural styles that incorporate elements of Craftsman Bungalow, Victorian and contemporary Spanish. The applicant reduced the size of the proposed residences. The previously proposed floor plans averaged 2,450 square feet and the revised plans now range in size from 2,250 to 2,289 square feet.

Pursuant to Fremont Municipal Code Section 18.135.050 and Section 18.135.060, Historical Architectural Review Board (HARB) approval is required for all new residences in the HOD and for alterations to the exterior of existing structures. Staff recommends that the HARB find the Project consistent with the Niles Historical Overlay District and recommend the Planning Commission and

City Council approve the proposed project as shown in Exhibit "A" based on the findings and subject to the conditions contained in Exhibit "B," attached.



**Figure 1: Aerial photo of neighborhood context**



**SURROUNDING LAND USES:**

North: Single-family residential; R-1-8 (HOD)  
South: Single-family residential; R-1-8 (HOD)  
East: Single-family residential; R-1-8 (HOD)  
West: Single-family residential; R-1-8 (HOD)

## **BACKGROUND AND PREVIOUS ACTIONS:**

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The existing house on the project site is a one-story Spanish Colonial Revival residence constructed approximately in 1934. There is a wooden, detached garage with a secondary dwelling unit located above it. This structure was constructed in approximately 1940. A development proposal was submitted for the site in 2007, and because the structures on the site were more than 50 years old, a historical architectural assessment was required. Woodruff Minor, a consulting architectural historian, was hired to prepare a historical architectural assessment. He determined that the buildings did not appear eligible for listing on the California Register of Historical Resources under Criterion A, B, and C because the property's association with patterns of history, its association with individual persons, and the level of architectural significance of the existing buildings was not sufficient to warrant its inclusion on the California Register. With regard to architecture, the report concluded that the house was a modest example of Spanish Colonial styling in the vernacular tradition and did not attain the threshold of design significance for inclusion on the California Register. There are no records of any land use entitlements or other permits associated with the subject property.

In 1997, the City Council approved a rezoning of many of the single-family residential neighborhoods in the northwestern portion of the Niles Community Plan Area from R-1-6 to R-1-8 for consistency with the underlying land use designation at that time.

## **PROCEDURE FOR TONIGHT'S HEARING:**

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At tonight's hearing, HARB is charged with determining design review compatibility of the proposed project with the Niles Historical Overlay District, consistent with Section 18.135.080 of the Fremont Municipal Code (FMC).

1. Review and consider whether the proposed development would be consistent with the Niles HOD Design Guidelines and compatible with existing development in the Niles HOD.
2. Review and consider the proposed project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332, In-Fill Development Projects; and

## **PROJECT DESCRIPTION:**

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The applicant proposes to subdivide a 0.43 acre parcel into three lots, ranging in size from 5,300 to 6,800 square feet. The project includes the development of two new two-story single-family residences on the site and alteration and addition to an existing single-family residence, including a new second story. An existing detached garage with a secondary dwelling unit located above the garage would be demolished. The existing buildings, although over 50 years old, have been assessed as ineligible for listing on the California Register.

The residences were designed using elements of Craftsman Bungalow, Victorian, and contemporary Spanish architectural styles with either composite wood siding or smooth stucco walls; a variety of roof materials including s-tile, composition shingles and standing seam metal; eave corbels; single-hung windows with lintel trim; wood garage doors, and front porches. The floor plans of the residences range from 2,250 square feet to 2,289 square feet of habitable living area and provide four bedrooms with three bathrooms and two-car garages. The applicant chose to maintain rather than demolish the existing residence on the site and proposes to add a second floor which would contain three bedrooms and two bathrooms. A new two car garage would also be attached to the right (east) side of the house. The applicant would install four new 24-inch box street trees (London Planes) in the City right-of-way located behind the sidewalk. Decorative wood fencing with wrought iron accents would be used to enclose the side and rear yards.

## **PROJECT ANALYSIS:**

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### ***Evaluation of Potential Historical Significance***

The existing house was constructed in approximately 1934 and the detached garage with a secondary dwelling unit located above it was constructed in approximately 1940. Per Section 18.175.150 of the FMC, staff must evaluate buildings, structures or objects 50 years old or older to determine if they are potentially eligible for listing on the California Register or the Fremont Register as a historic resource before their historic integrity is destroyed through demolition or relocation. The existing house has a Spanish Colonial Revival architectural design with stucco walls, and a low-pitch s-tile roof. Exterior alterations to the house include a 1958 family-room addition, and window replacements. Exterior alterations to the garage and unit above include a shed-roofed rear extension and plywood garage doors.

A Historical and Architectural Assessment was prepared in April 2007 by a consulting architectural historian, who determined that neither building had unique qualities which would make them historically significant. The Assessment concluded that although the buildings retained integrity, the buildings did not meet the following Criteria of Significance for eligibility for the California Register:

- a. Historical association with events. The Assessment indicates that it is not evident that the property related to the development of Niles or to other themes in the area's history. The historical associations of the property are not sufficiently compelling.
- b. Historical association with important persons in past. There were not significant associations with the residents of the property with notable people in areas such as civic affairs. Although the property has associations with two notable families in the history of Washington Township—the Shinn and Grimmer families—the associations are not of sufficient importance to warrant inclusion on the California Register. Other properties in the Niles area have a stronger association, including the residence of Joseph C. Shinn.
- c. Embodiment of distinctive characteristics. Both the house and the detached structure do not embody the distinctive characteristic of a type, period, region or method of construction, or represent the work of an important creative individual, or possess high artistic values.

Because the subject site is located in the Historical Overlay District, review and approval by the Historical Architectural Review Board is required for this application as submitted for the development of two new residences, additions to the existing house, demolition of the existing detached garage with secondary dwelling above, and site and landscape improvements.

### ***General Plan Conformance***

The General Plan land use designation for the subject property is Low Density Residential, 2.3-8.7 units per acre. The existing 0.43 acre site would be subdivided into three lots with a density of seven dwelling units per acre. This staff report describes how the proposed project conforms to the HOD Design Guidelines and other applicable regulations. The project would go to the Planning Commission for recommendation of approval prior to going to the City Council for approval.

Analysis of the project shows that the proposal is consistent with the following applicable General Plan goals and policies:

**Community Plans Policy 11-8.16: Architectural Diversity** – Outside of the Niles Town Center, maintain the character of established residential neighborhoods in the Niles District. New homes and alterations to existing homes should respect the overall scale and character of established neighborhoods. Infill development and/or subdivision of vacant or underutilized sites should be consistent with General Plan and zoning densities.

Analysis: The Niles HOD contains various historic architectural styles, including Victorian, American Craftsman, Spanish Colonial Revival, Mission Revival, and bungalow. The applicant proposes to develop two new residences and build additions to the existing single-family home designed with a contemporary Spanish architectural style. The proposed project incorporates elements of these styles to reflect the historic diversity of architectural styles found in Niles. At a density of 7 dwelling units per acre (du/acre), the proposed project is consistent with the range of its Low Density Residential land use designation, which allows 2.3-8.7 du/acre. The second stories are limited to 60% lot coverage, further reducing the scale of the buildings as they relate to surrounding development. The height of the buildings is below the 30-foot maximum permitted by the zoning district.

### ***Zoning Regulations***

The current zoning of the project site is R-1-8(HOD), which permits single-family dwellings. In addition, the project site is located within the Niles HOD. The applicant proposes to rezone the property to a Preliminary and Precise Planned District in order to provide flexibility in lot sizes and building setbacks. The existing General Plan density range would remain.

The following information compares the existing R-1-8 zoning setbacks to the proposed setback requirements of the new Planned District.

#### **1) Setbacks:**

- a. Front yard setback requirement is 25 feet:** The proposed residences would have a front yard setbacks ranging from 22.6 to 23.8 feet.
- b. Interior side yard setback requirement is seven feet:** The proposed residences would have side yard setbacks ranging from six feet to eight feet.
- c. Street side yard setback requirement is 12.5 feet:** The proposed residence abutting Niles Boulevard would have a street side yard setback of 14-feet, six-inches.
- d. Rear yard setback requirement is 25 feet (one-story) and 30-feet (two-story):** The proposed residences would have staggered rear walls which would provide rear yard setbacks of 20 and 21 feet for the first floor of the new residences and 28-feet, six-inches for the existing remodeled residence. The second floor rear setbacks would be increased to an average of 30 feet.
- e. Building Height is 30-feet** (from grade to mean of top plate and highest point of roof). All of the proposed homes are below the maximum height permitted by zoning.

### ***Design Analysis***

Site Planning: The subject parcel is 100 feet by 189 feet. The proposed new residences would vary in width from 41 feet to 43 feet, which is similar to homes in the neighborhood. The existing house would be 47 feet in width after a new attached garage is added to the right side of the house. The new individual lot sizes will range from 5,300 to 6,800 square feet with an average size of 6,150 square feet. This is consistent with the existing pattern of lot sizes across E Street and with lots adjacent to the rear and south of the project. The lot dimensions within the project average 61-feet x 100-feet is also generally consistent with the average sizes of existing lots surrounding the project.

Context/Scale: Although the Niles HOD guidelines address primarily commercial buildings, the Guidelines emphasize new buildings should be designed in their immediate context. The proposed architecture is consistent with buildings along E Street and in particular with the landmark Veteran's building. Although existing residences in the immediate vicinity are one-story, the second stories of the proposed new residences would be modest, therefore are compatible in scale and massing to existing development. Second story additions to the homes in the vicinity are allowed and could occur in the future. The side street elevation of Lot 1 was enhanced to address Niles

Boulevard and includes a wrap-around porch. The elevation would include details such as enhanced porch columns, lintels, window trim and a decorative fireplace chimney.

Architecture: The proposed new residences on Lots 1 and 3 are designed in a Craftsman Bungalow/Victorian architectural style that would complement the other homes found in the neighborhood. These two homes will utilize composite wood siding with decorative corbels placed at the eaves. The house on Lot 1 would utilize a brown standing seam metal roof. The house on Lot 3 would utilize a gray composition shingle roof. The house on Lot 2 was designed in a contemporary Spanish style architecture and compliments homes in the vicinity, particularly the homes located directly across the street. This residence would utilize a smooth plaster (stucco) would have both gabled and hipped roofs with s-tiles, a low-scale 3/12 pitch and a staggered second floor footprint. All homes would use decorative craftsman-style wood front doors with glass inserts and carriage-style wood garage doors with windows.

Colors and Materials: Consistent with the HOD guidelines, earth-tones and blue/gray exterior wall colors are proposed for the new residences, with a variation of lighter and darker tones for the entry doors, trim and roof fascia boards. Carriage-style wood roll-up garage doors would be painted to match the body of the residences. The earth-tone color palette is appropriate for buildings of this design and serves to accentuate the architectural features, contributing to a project that is responsive to the site and neighborhood context. The applicant would install stamped driveways with a terracotta hue in a herring bone design pattern. The use of materials is also consistent with the HOD guidelines, which suggest stucco for building walls and single-colored concrete or clay tiles for roof materials. Dark colored standing seam metal roofs or composition shingle roofs are acceptable.

Landscaping: Landscape design in the Niles HOD should be appropriate to its context and consider water consumption. The applicant would install four new 24-inch box London Plane trees within the five-foot wide planter between the curb and the public sidewalk. The City would also require irrigation and water-efficient plant materials in this area per the City's landscape and design guidelines. The proposed landscape plan minimizes lawn area and emphasizes low water use groundcover and shrubs for the private front yard areas.

Grading & Drainage: The existing topography of the property is flat with an elevation of 67 feet. The proposed project would increase the amount of impervious surface on the site; however, this increase would not significantly impact the amount of runoff entering the public storm drain system serving the area. The lot would be graded to drain towards the street. Area drains towards the rear of the property would connect to bubble-up emitters that would discharge runoff water to the surface and sheet-flow off the properties.

Utilities: The site is currently connected to municipal water and sanitary sewer lines which serve the existing house. The utility lines would be required to be up-sized to accommodate the additional square footage of the existing house, as well as the new fire sprinkler service that must be installed. Energy service (gas and electricity) would be provided to the new residences.

## **FINDINGS FOR APPROVAL**

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Pursuant to FMC Section 18.135.080, HARB may recommend approval of the project based on a finding of compatibility in terms of siting, massing, scale, size, material, texture and color with existing development in the Niles Historical Overlay District.

## **ENVIRONMENTAL REVIEW:**

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The proposed project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332, Infill Development Projects.

## **PUBLIC NOTICE AND COMMENT:**

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Public hearing notification is applicable. Notices were mailed to owners and occupants of property within 300 feet of the site. The notices to owners and occupants were mailed on October 2, 2014. A Public Hearing Notice was also published by The Argus on October 3, 2014.

The applicant held two neighborhood meetings on July 10, 2014 and August 14, 2014 at the Veteran's Memorial Hall. The applicant states that approximately 40 nearby residents attended the first meeting. Many of the comments were related to architecture, building massing and square footage issues. Residents expressed concern that the residences were too large, and unadorned. The applicant understood the resident's concerns and responded by revising the architecture to provide a more Craftsman style architecture with lower roof lines, rather than entirely Spanish style architecture. The second neighborhood meeting was attended by approximately 15 nearby residents. The applicant also posted the drawing on internet so that the Niles residents could see the proposed house plans without attending the meeting. The residents wanted larger porches; more attractive windows and roof elements, and more vibrant paint colors. The applicant reduced the house sizes from an average of 2,500 square feet to 2,200 square feet and additional architectural detailing was added to respond to the residents comments. The applicant said the majority of the neighbors were pleased with the changes.

## **ENCLOSURES:**

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### ***Exhibits:***

- Exhibit A [Project Plans](#)
- Exhibit B [Recommended Findings and Conditions of Approval](#)

### ***Informational:***

- Informational 1 [Design Concept Statement](#)
- Informational 2 [Historical and Architectural Assessment \(April, 2007\)](#)
- Informational 3 Colors/Materials Board

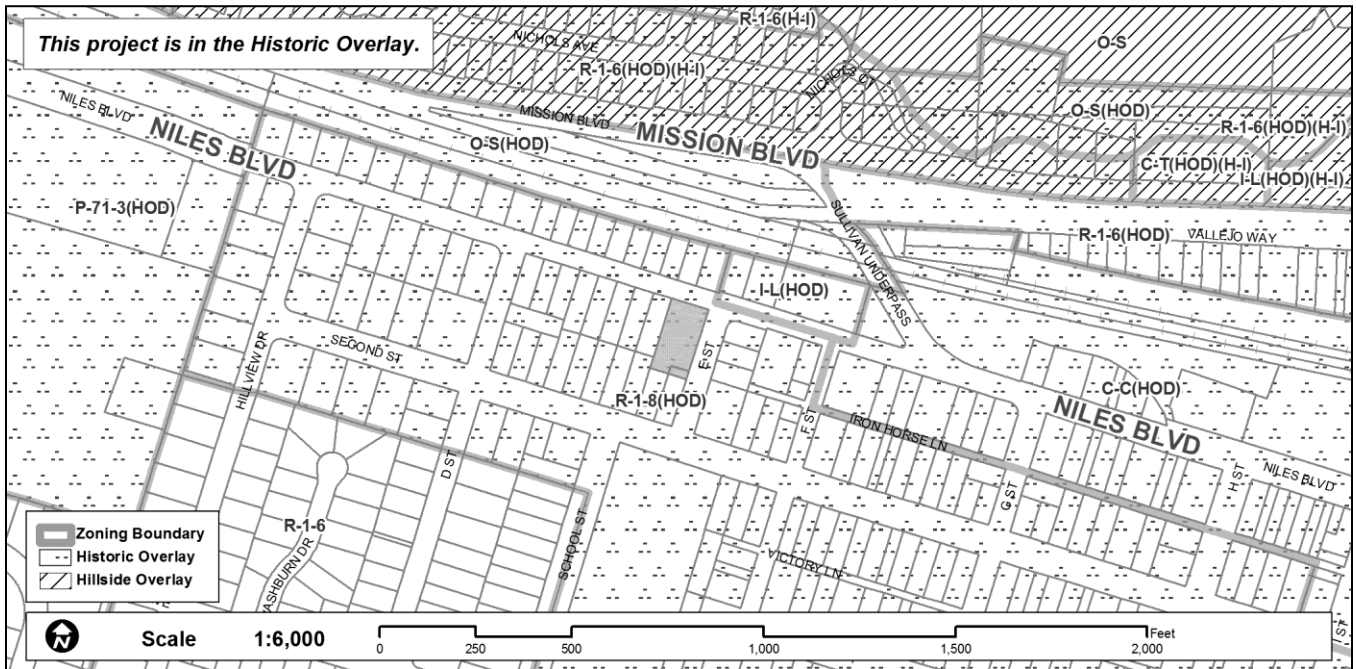
## **RECOMMENDATION:**

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1. Hold public hearing.
2. Find that the project as proposed would be compatible in terms of siting, massing, scale, size, material, texture and color with existing development in the Niles Historical Overlay District and recommend approval of the project to the Planning Commission and City Council.
3. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332, Infill Development Projects, and Section 15303, New Construction or Conversion of Small Structures; and

## Existing Zoning

Shaded Area represents the Project Site



## Existing General Plan

